

Designations; New Mexico" (Docket No. APHIS-2011-0093) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3468. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State and Zone Designations; Minnesota" (Docket No. APHIS-2011-0100) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3469. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Gypsy Moth Generally Infested Areas; Additions in Indiana, Maine, Ohio, Virginia, West Virginia, and Wisconsin" (Docket No. APHIS-2010-0075) received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3470. A communication from the Assistant Secretary of Defense (Homeland Defense and Americas' Security Affairs), transmitting, pursuant to law, a report entitled "Combating Terrorism Activities Fiscal Year 2012 Budget Estimates"; to the Committee on Armed Services.

EC-3471. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency declared in Executive Order 13413 with respect to blocking the property of persons contributing to the conflict taking place in the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC-3472. A communication from the Deputy Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Title 30" (RIN1010-AD79) received in the Office of the President of the Senate on October 3, 2011; to the Committee on Energy and Natural Resources.

EC-3473. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina: Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revision" (FRL No. 9476-5) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Environment and Public Works.

EC-3474. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "California: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9476-2) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Environment and Public Works.

EC-3475. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Determination of Attainment and Determination of Clean Data for the Annual 1997 Fine Particle Standard for the Charleston Area" (FRL No. 9477-5) received in the Office of the President of the Senate on Oc-

tober 4, 2011; to the Committee on Environment and Public Works.

EC-3476. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9477-6) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Environment and Public Works.

EC-3477. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Procedures for Section 2053 Protective Claims for Refund" (Rev. Proc. 2011-48) received in the Office of the President of the Senate on October 8, 2011; to the Committee on Finance.

EC-3478. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Electing Portability of Deceased Spousal Unused Exclusion Amount" (Notice 2011-82) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3479. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Per Diem Rate Substantiation Procedures" (Rev. Proc. 2011-47) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3480. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deduction for Qualified Film and Television Production Costs" (RIN1545-BF94) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3481. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2011-2012 Special Per Diem Rates" (Notice No. 2011-81) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3482. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Rev. Rul. 2011-21) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3483. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Nonaccrual-Experience Method of Accounting Book Safe Harbor" (Rev. Proc. 2011-46) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3484. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Voluntary Classification Settlement Program" (Rev. Proc. 2011-64) received in the Office of the President of the Senate on October 4, 2011; to the Committee on Finance.

EC-3485. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Approaches for Identifying, Collecting, and Evaluating Data on Health Care Disparities in Medicaid and CHIP"; to the Committee on Finance.

EC-3486. A communication from the Senior Procurement Executive, Office of Governmentwide Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Travel Regulation; Terms and Definitions for 'Dependent', 'Domestic Partner', 'Domestic Partnership', and 'Immediate Family'" (RIN3090-AJ06) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-3487. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-97 "Ward Redistricting Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3488. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-154 "Income Tax Secured Bond Authorization Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3489. A communication from the Chair, Office of General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Interpretive Rule on When Certain Independent Expenditures are 'Publicly Disseminated' for Reporting Purposes" (Notice 2011-13) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2011; to the Committee on Rules and Administration.

EC-3490. A communication from the Federal Register Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes To Implement the Prioritized Examination Track (Track I) of the Enhanced Examination Timing Control Procedures Under the Leahy-Smith America Invents Act" (RIN0651-AC62) received in the Office of the President of the Senate on September 23, 2011; to the Committee on the Judiciary.

EC-3491. A communication from the Federal Register Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revision of Standard for Granting an Inter Partes Reexamination Request" (RIN0651-AC61) received in the Office of the President of the Senate on September 23, 2011; to the Committee on the Judiciary.

EC-3492. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities regarding civil rights era homicides; to the Committee on the Judiciary.

EC-3493. A communication from the Office Chief, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Notice of Expired Temporary Rules Issued" (Docket No. USCG-2011-0874) received in the Office of the President of the Senate on October 5, 2011; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2012" (Rept. No. 112-87).

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. JOHNSON, of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

David A. Montoya, of Texas, to be Inspector General, Department of Housing and Urban Development.

\*Patricia M. Loui, of Hawaii, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2015.

\*Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

\*Larry W. Walther, of Arkansas, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2013.

\*Alan B. Krueger, of New Jersey, to be a Member of the Council of Economic Advisers.

\*Cyrus Amir-Mokri, of New York, to be an Assistant Secretary of the Treasury.

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

\*John Edgar Bryson, of California, to be Secretary of Commerce.

\*Coast Guard nomination of Rdm1 David R. Callahan, to be Rear Admiral (Lower Half).

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

\*Coast Guard nomination of Walter L. Ouzts, Jr., to be Lieutenant.

\*Coast Guard nomination of Kathleen A. Duignan, to be Commander.

\*National Oceanic and Atmospheric Administration nominations beginning with Richard R. Wingrove and ending with Linh K. Nguyen, which nominations were received by the Senate and appeared in the Congressional Record on June 30, 2011.

By Mr. LEAHY for the Committee on the Judiciary.

Evan Jonathan Wallach, of New York, to be United States Circuit Judge for the Federal Circuit.

Dana L. Christensen, of Montana, to be United States District Judge for the District of Montana.

Cathy Ann Bencivengo, of California, to be United States District Judge for the Southern District of California.

Gina Marie Groh, of West Virginia, to be United States District Judge for the Northern District of West Virginia.

Margo Kitsy Brodie, of New York, to be United States District Judge for the Eastern District of New York.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY:

S. 1661. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to reduce class size through the use of highly qualified teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PRYOR (for himself and Mr. CARDIN):

S. 1662. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a nanotechnology regulatory science program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself, Ms. KLOBUCHAR, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. PRYOR):

S. 1663. A bill to direct the Secretary of Commerce to establish a competitive grant program to promote domestic regional tourism; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN:

S. 1664. A bill to amend titles 28 and 10, United States Code, to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces; to the Committee on the Judiciary.

By Mr. BEGICH (for himself, Mr. ROCKEFELLER, and Ms. SNOWE):

S. 1665. A bill to authorize appropriations for the Coast Guard for fiscal years 2012 and 2013, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. THUNE:

S. 1666. A bill to prohibit the implementation of certain rules of the National Labor Relations Board relating to the posting of notices on unionization; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 1667. A bill to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. MORAN, Mr. TESTER, Mr. BEGICH, Mr. WYDEN, and Ms. MURKOWSKI):

S. 1668. A bill to provide that the Postal Service may not close any post office which results in more than 10 miles distance (as measured on roads with year-round access) between any 2 post offices; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself, Mrs. BOXER, and Mr. REID):

S. 1669. A bill to authorize the Administrator of the Environmental Protection Agency to establish a program of awarding grants to owners or operators of water systems to increase the resiliency or adaptability of the systems to any ongoing or forecasted changes to the hydrologic conditions of a region of the United States; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself, Mr. BLUMENTHAL, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. MENENDEZ, Ms. MIKULSKI, and Ms. STABENOW):

S. 1670. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

By Mrs. HAGAN (for herself, Mr. MCCAIN, Mrs. BOXER, Mr. BLUNT, Mr. GRAHAM, Mr. ISAKSON, Ms. MURKOWSKI, Mr. BROWN of Massachusetts, and Mr. MANCHIN):

S. 1671. A bill to amend the Internal Revenue Code of 1986 to allow a temporary dividends received deduction for dividends received from a controlled foreign corporation; to the Committee on Finance.

By Mr. CONRAD (for himself and Mr. SESSIONS):

S. 1672. A bill to amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. AKAKA (for himself and Mrs. FEINSTEIN):

S. 1673. A bill to establish the Office of Agriculture Inspection within the Department of Homeland Security, which shall be headed by the Assistant Commissioner for Agriculture Inspection, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REED:

S. 1674. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. FRANKEN, Mr. BEGICH, Mrs. GILLIBRAND, and Mr. CASEY):

S. 1675. A bill to improve student academic achievement in science, technology, engineering, and mathematics subjects; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE:

S. 1676. A bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt; to the Committee on Finance.

By Mr. WYDEN:

S.J. Res. 28. A joint resolution limiting the issuance of a letter of offer with respect to a certain proposed sale of defense articles and defense services to the Kingdom of Bahrain; to the Committee on Foreign Relations.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself, Mr. SESSIONS, Mr. CARDIN, Mr. ALEXANDER, Mrs. MURRAY, Mr. LIEBERMAN, Mr. REED, Mr. WYDEN, Mr. BINGAMAN, Mr. WHITEHOUSE, Mr. UDALL of New Mexico, Mr. BROWN of Massachusetts, Ms. COLLINS, Mr. COCHRAN, and Mr. MERKLEY):

S. Res. 288. A resolution designating the week beginning October 9, 2011, as "National Wildlife Refuge Week"; considered and agreed to.

By Mr. BROWN of Ohio (for himself, Mr. SHELBY, Mr. SESSIONS, Mr. PORTMAN, Mr. LEVIN, Mr. MENENDEZ, Mr. CARDIN, Mr. LAUTENBERG, Mr. INHOFE, Ms. MIKULSKI, and Mr. REID):

S. Res. 289. A resolution celebrating the life and achievements of Reverend Fred Lee Shuttlesworth and honoring him for his tireless efforts in the fight against segregation